

REMARKS

Claims 1, 2, 5-20, 22-33 and 38-47 are pending in this application. Claims 7-9, 11, 12, 15, 16, 20, 28, 32, 33, 38-40, 42-44 and 47 have been withdrawn in accordance with Applicants' previous election. Claims 3, 4, 21 and 34-37 have been cancelled. No claim amendments are filed with this response.

Election of Species of Invention

Reference is made to an interview with the Examiner dated January 6, 2011. The Examiner has issued a second Restriction Requirement contending that the Applicant further elect a species of invention to be examined as recited in claims 5 or 6, i.e., "carbohydrate epitope" or "sTn" respectively.

To comply with this election requirement, Applicant elects, "sTn" of claim 6 without traverse. Applicant also respectfully point out that "sTn" is sialyl Tn, a carbohydrate epitope. See paragraphs [0070] and [0084]-[0087] of the instant application as published for a description of sTn. Applicant, therefore, notes that a search can cover both species, "sTn" and "carbohydrate epitope" and respectfully request that both species are searched for the pending claims.

* * *

CONCLUSION

Applicants submit that this paper fully addresses the Office Action mailed October 13, 2010 and respectfully request prompt examination on the merits of the full scope of claims 1, 2, 5-20, 22-33 and 38-47. Applicants reserve the right to pursuant to 35 U.S.C. §121 to file one or more divisional applications directed to the non-elected subject matter.

Applicants believe that with this two-month extension of time the present response is timely filed. If, however, additional fees are due in connection with the present submission, the office hereby authorized to charge Deposit Account No. 23-2415 referencing Attorney Docket No. 34395-813.831.


If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to contact the undersigned at (858) 350-2306.

Respectfully submitted,

WILSON SONSINI GOODRICH & ROSATI
Professional Corporation

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By:



Michael J. Hostetler, Ph.D.
Registration No. 47,664

650 Page Mill Road
Palo Alto, CA 94304-1050
(650) 493-9300
Customer No. 021971